



TOWN OF BERWYN HEIGHTS

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MAYOR
Stephen D. Isler
COUNCIL MEMBERS
Jason W. Papanikolas (Mayor Pro Tem)
Amanda M. Dewey
Ethan D. Sweep
Jeffrey Jay Osmond

Town Meeting Minutes May 8, 2019

The meeting was called to order at 7:00 p.m. Present were Mayor Isler, Mayor Pro Tempore (MPT) Jason Papanikolas, Councilmembers (CMs) Amanda Dewey, Ethan Sweep and Jeffrey Jay Osmond. Also present were Town Manager (TM) Maria Broadbent, Treasurer Michelle Rodriguez, Clerk Kerstin Harper, Chief Kenneth Antolik, Public Works Director Kenneth Hall, and citizens.

1. Approval of Agenda

CM Sweep moved and CM Dewey seconded to approve the agenda. The motion passed 5 to 0.

2. Endangered Species Act Proclamation

Mayor Isler read the Proclamation marking May 8, 2019 as Endangered Species Day in Berwyn Heights. CM Dewey said Endangered Species Day is celebrated nationally on May 17. Events are scheduled at several local gardens and parks. Some species endangered in Maryland include the piping plover, the eastern cougar and several species of bats and whales, among many others.

3. Budget Presentation

MPT Papanikolas led off the budget presentation with budget highlights. He said the Council's budget goals were to ensure a safe community, a quality workforce through competitive pay, benefits and professional growth opportunities, and the Town's long-term fiscal health by avoiding debt and reducing the use of fund balance to help fund the next budget.

MPT Papanikolas continued with an overview of general revenues and expenditures. The combined FY 2020 operating & capital budget totals \$3,428,000. This is \$1,140,000 less than in FY 2019, which included a 1.1 million bond issue. The Public Safety Taxing District Budget totals \$71,400, which is \$7,800 less than in FY 2019. The real property tax rate, unchanged since 2015, is proposed to be raised by 1 ½ cents to 54.5 cents per \$100 of assessed valuation. This raises an additional \$52,800 in revenue on top of increased receipts of \$100,100 or 6% due to rising property values. Three cents of the real and personal property tax rates, which generate \$105,300 and \$12,300, respectively, is set aside in a dedicated road repair fund.

Other significant changes in revenues include a 27% increase in Highway User Revenues (HUR) to \$140,400, a 36% increase in the Refuse & Recycling Fees to \$98,000; a 6% decline in personal property taxes to \$220,00; a 6% decline in Licensing & Permit Fees to \$138,400; a 17% decline in State Police Aid to \$44,600; and a lower Greenbelt Station Impact Fee of \$86,800. Income taxes remained unchanged at \$375,000.

On the expenditure side, all Town employees were given a 2% Cost of Living Adjustment costing \$25,408, plus Merit Pay totaling \$61,000. The Council also raised the hours of annual leave employees

can carry over to the following year to 120 hours and established an attrition reserve of \$6,000 for payouts. The Administration Department budget includes additional funds for a part-time Public Information Aide (\$13,200); a staff reorganization that elevates the Administrative Assistant to an Assistant to the Town Manager (\$8,900); staff training (\$2,000); document scanning (\$2,000); and election funds (\$1,600). Health, Vision and Dental Insurance declined by \$8,000 due to staff changes, while Life and Disability Insurance added \$5,100 to the insurance bill. Expenses for copying, subscriptions and postage went down by \$5,500.

Mayor Isler explained the Public Health & Safety budget. The Council approved the hiring of an additional officer to prepare for the coming retirement of several officers and to comply with the mandate for more community policing. The related cost of \$116,000 includes this officer's salary, a vehicle and other outfitting. Other budget enhancements include three officer promotions (\$11,500); a new police vehicle (\$44,200); a speed monitor (\$4,800); and a radar gun (\$1,000).

CM Sweep explained the Public Works budget. The largest enhancement to the base budget is for street repairs (\$225,000), followed by seasonal help (\$16,400) needed mainly for leaf collection and grass cutting, and vehicle maintenance (\$15,000). Other significant enhancements include repairs to the Public Works building (\$5,000), Town Center maintenance (4,000), Town Hall carpeting (\$8,000), landscaping (2,000) and tipping fees (\$6,000). The purchase of toters and tippers to improve recycling collection will be financed from the FY 2019 budget.

The Public Works Department will also purchase a new refuse truck (\$205,000) and pickup truck (45,000) in FY 2020, which will be paid from the vehicle replacement reserve. To replenish the reserve \$106,200 will be returned to the reserve. Funding for welcome signs proposed by the Quality of Life Commission was reduced from \$10,000 to \$2,000, which will pay for planning and design only. Any sign purchases will come from the FY 2021 budget.

CM Osmond explained the Code Compliance budget. It is planned to hire a Code Director who will take on more leadership responsibilities than the Code Supervisor had. He will supervise 2 full-time Code employees and command a higher salary. The cost of this enhancement is \$9,000. Other enhancements include additional computer support (\$800), and communication technology (\$400) to process code cases more efficiently, and a contribution to a College Park code study (\$1,500). The call-a-bus program costs are proposed to decline by \$2,000 because the van has been transferred to the City of Greenbelt.

CM Dewey explained the Parks & Recreation budget. The cost of the volunteer appreciation dinner is proposed to increase by \$500 to reflect greater attendance, and the Green Team requested an additional \$250 to fund more workshops. Last year's funding for PRECA aide (\$4,000) was moved to help fund the Public Information Aide position established in the Administration Department.

MPT Papanikolas concluded saying that \$139,000 were not covered by current revenue streams, including the 9th officer, his vehicle and insurance correction, and will be funded from the FY 2019 fund balance. The Town's General Fund Checking account has enough funds to cover the 9 months operating costs of \$2,025,000 at \$225,000 per month, after \$675,000 is set aside in a rainy-day reserve.

4. FY 2020 Budget Public Hearing

CM Dewey and MPT Papanikolas responded to a list of comments on the budget from Jodie Kulpa Eddy, Ruatan Street. Her top concern was the increase in the Town's tax rate, which in combination with the increase in property values significantly adds to the tax burden of homeowners with a fixed income. CM Dewey said that Councilmembers understand and take seriously the impact of tax

increases as they are subject to it as well. MPT Papanikolas said he plans to gather information on State and County tax assistance programs for publication in the next Bulletin.

In response to other questions by Ms. Kulpa-Eddy, CM Dewey and MPT Papanikolas said they will inquire with the State about the decline in the Town's real property assessable base and unchanged income tax projections. The Refuse & Recycling fee was raised to help cover the cost of tipping fees, which had been underfunded in previous years. Landscaping expenses were included as an operating expense because they will become a permanent budget item, whereas new Town office carpeting could be categorized in other ways. The emergency trailer will become the property of the Neighborhood Watch, which will maintain it. The NW/EP reserve remains at the Committee's disposal to be used as it sees fit. Speed camera revenues are declining but can still cover the administrative costs of the program. Given this circumstance, the Town plans to keep the program to reduce speeding in school zones.

Further, higher personnel expenditures in the Administration and Code Departments are due to a realignment of duties between the Treasurer and Administrative Assistant, the hiring of a Public Information Aide, and the funding of a Code Director position and 2 full-time code officers, who will take on additional responsibilities for managing business and building activities. In the Police Department, the hiring of a 9th officer was funded primarily because the Police Department is taking on new mandated responsibilities for community outreach and to allow for two officers per shift, who can back each other up.

Ms. Kulpa-Eddy thanked the Council for the explanations, adding it would have been useful to have the budget presentation in April to give more time for citizens to comments.

Phil Ventura, 57th Avenue, commented that this budget has too many major changes in his opinion. In previous years, Councils might have purchased a new vehicle, or made investments in the refuse collection program, or hired an additional employee, but not all of this together. The hiring of new staff will impact budgets for years to come. This is also true for adding take-home vehicles to the fleet, which was a major decision for previous Councils.

5. Unfinished Business

ORD 177 – FY 2020 Budget Amendment 1A Correction to Insurance: Mayor Isler explained that the amendment adds the cost of insurance for 4 currently vacant positions to the FY 2020 budget. CM Dewey moved to approve Amendment 1A. CM Sweep seconded. The motion passed 5 to 0.

ORD 177 – FY 2020 Budget Amendment 1B Insurance for 9th Police Officer: Mayor Isler said this amendment adds the cost of insurance for the additional police officer position authorized in the FY 2020 budget. MPT Papanikolas moved and CM Sweep seconded to approve Amendment 1B. The motion passed 5 to 0.

ORD 177 – FY 2020 Budget Amendment 2 Cable TV Reserve Fund Purchases: Mayor Isler said this Amendment authorizes expenditures of \$20,000 to produce informative videos for the Town's Cable TV channel and \$10,000 to purchase a new server for storing the videos. CM Dewey added that these expenses do not affect the operating budget as they come from a restricted reserve fund. CM Dewey moved and CM Sweep seconded to approve Amendment 2. The motion passed 5 to 0.

ORD 177 – FY 2020 Budget Amendment 3 Limited Holiday Pay for Part-time Employees: TM Broadbent explains this Amendment funds limited holiday pay for permanent part-time employees on days when Town offices are closed due to a holiday at a cost of \$5,028. It reinstates a practice in effect

prior to the adoption of a new Employee Handbook in 2016. It does not apply to seasonal workers or contractors. CM Dewey added that the Council opted for limited rather than full holiday day for affected employees. CM Sweep moved and CM Dewey seconded to approve Amendment 3. The motion passed 5 to 0.

ORD 177 – FY 2020 Budget Amendment 4 Short-term Disability Insurance: Mayor Isler said that this Amendment adds \$5,293 to the FY 2020 budget to fund short-term disability insurance for full-time employees. It pays a percentage of their salaries when they are unable to work for up to 26 weeks. The Council opted not fund long-term disability insurance, although it is available to employees at their own expense. CM Sweep moved and CM Dewey seconded to approve the Amendment. The motion passed 5 to 0.

ORD 177 – FY 2020 Budget Amendment 5 Funding for Mail-in Voting: Mayor Isler said this amendment adds \$3,000 to the FY 2020 budget to fund mail-in voting for the 2020 Town Council elections. It is hoped this will increase voter participation. Ballots would be sent to all registered voters in the Town 3 weeks prior to the election. Voters can fill them out and mail them in, or turn them in in person, or vote in the traditional way on Election Day.

Ms. Kulpa-Eddy asked how the Town will ascertain who filled out the ballot. On an absentee ballot, which have been used for mail-in voting to date, voters have had to sign for them when requesting them. CM Sweep said voters would also sign a mail-in ballot attested by a witness. In Minnesota, where he previously resided, mail-in voting has been in effect for years. CM Dewey moved and CM Sweep seconded to approve Amendment 5.

CM Dewey said mail-in voting would make it easier for people to vote, which should result in higher turnout and make elections more representative of all who live in Town. Ms. Kulpa-Eddy asked whether this complies with the Town Charter and ordinances. CM Dewey replied that the Charter is silent on the matter and State law allows it, but the Town will check to make sure the process complies with the law. CM Osmond suggested advertising the elections far in advance to ensure residents aware of the changes. TM Broadbent said Town staff would create an outreach plan that informs residents of election procedures and assist with voter registrations. With no further comments, the Council voted 5 to 0 to adopt the Amendment.

ORD 177 – FY 2020 Budget Amendment 6 Greenbelt Station South Core Fee: TM Broadbent explained that the Amendment adjusts the expected receipts from the Greenbelt Station Development compensating Berwyn Heights for impacts of the development from \$150,000 to \$24,000 in FY 2020 based on more accurate information. MPT Papanikolas moved and CM Sweep seconded to approve the Amendment. The motion passed 5 to 0.

ORD 177 – 2nd Reading & Adoption of FY 2020 General Fund Budget as Amended: Clerk Harper read a summary of the FY 2020 General Fund Budget. CM Sweep moved and CM Osmond seconded to adopt the amended FY 2020 Budget. Mayor Isler thanked TM Broadbent, Treasurer Rodriguez, Councilmembers and residents for helping to build this budget. This budget was adopted following a new process, which was long but necessary for a successful outcome.

MPT Papanikolas said he found the budget process enlightening. The Council did its best to serve the interests of residents and place the Town finances on a stable trajectory. The resulting budget reflects not only departments' requests for enhancements but also Council priorities and recommendations from the Quality of Life Commission. The Council's decision to raise property taxes was not an easy one.

Considerable time was spent during the budget workshop discussing whether and how much to increase the tax rate, which will affect most Councilmembers personally.

CM Dewey said she was struck by the serious responsibility of making decisions affecting the lives of everyone in Town. She spent considerable time thinking through what the best use of funds is to make the Town a great place to live for the most people. She appreciates all the input from residents and staff's hard work. One of the more technical accomplishments in the budget was a reduction of the Town's reliance on fund balance to help fund next year's budget, one of the reasons for the Council's decision to raise taxes. With no further comments, the Ordinance was adopted in a 5 to 0 vote.

ORD 177 – 2nd Reading & Adoption of FY 2020 Public Safety Taxing District Budget: Clerk Harper read a summary of the Ordinance. CM Dewey moved and CM Sweep seconded to adopt the Public Safety Taxing District (PSTD) Budget. TM Broadbent responded to Ms. Kulpa-Eddy that the PSTD budget was presented to the Commercial District Management Authority on April 17. They were happy about assessments going down and appreciated the active shooter presentation provided by BHPD. With the promotion of Detective Unger, another officer was designated to be associated with commercial district. Further, a police vehicle replacement program was initiated with this PSTD budget. The FY 2020 PSTD budget was approved in a 5 to 0 vote.

6. New Business

ORD 175 B – 1st Reading & Introduction of FY 2019 Budget Amendment to authorize the Purchase of Toters, Tippers and Educational Materials: Clerk Harper read a summary of the Ordinance. Mayor Isler said this Amendment budget appropriates \$53,180 from the FY 2019 budget for the purchase of toters and tippers to upgrade the recycling program. A hearing will be held at the June 12 Town meeting prior to adoption.

Mr. Ventura asked whether the Town could provide smaller than the 64-gallon containers the Town plans to buy since some residents have expressed a preference for smaller containers. Public Works Director Hall said the tippers the Town intends to purchase fit toters of 64-gallon up to 96-gallon size. Different tippers would be required for smaller toters. In response to other questions, Director Hall said the changes only affect the recycling program and are intended to encourage more recycling. The refuse collection will continue as before. TM Broadbent added that the Town will place the orders in June but does not expect the toters to be shipped until August or September. Residents may keep the old recycling containers for yard waste or other uses.

CM Dewey moved and CM Sweep seconded to introduce Ordinance 175 B. The motion passed 5 to 0.

Resolution 8-2019 awarding Contract for Purchase of Toters: Clerk Harper read the Resolution. Mayor Isler said this Resolution awards the contract for Toters to Toter, LLC of Statesville, NC. Residents, who do not wish to use the 64-gallon toters may continue to use the current recycling bins, which will be emptied manually. Residents, who are unable to maneuver the large containers can request help from the Public Works Department. CM Sweep and CM Dewey moved to approve the contract. The motion passed 5 to 0.

Resolution 9-2018 awarding Contract for Purchase of Recycling Cart Tippers: Clerk Harper read the Resolution. Mayor Isler said the Resolution awards the contract for the tippers to Gran Turk Equipment Co. of Baltimore, MD. CM Dewey moved to approve it and CM Sweep seconded. The motion passed 5 to 0.

ORD 175 C – 1st Reading & Introduction of FY 2019 Budget Amendment to authorize the Purchase of a Mobile Speed Monitor and Handheld Speed Gun: Clerk Harper read the Ordinance. MPT Papanikolas moved to introduce it. CM Osmond seconded. The motion passed 5 to 0.

ORD 175 D – 1st Reading & Introduction of FY 2020 Budget Amendment to encumber FY 2019 Budget Funds for Town Center Architectural Study: Clerk Harper read the Ordinance. CM Osmond moved to introduce the Ordinance and CM Sweep seconded. TM Broadbent explained that the architectural study enlarge the Town office building was funded in the FY 2019 budget, but she did not find time to commission it. This Amendment encumbers funding in the FY 2020 budget to complete the study. CM Osmond said he is interested in reviewing any proposal resulting from the study. The Council voted 5 to 0 to introduce the Ordinance.

Resolution 10-2019 amending Employee Handbook Annual Leave Provisions: Mayor Isler said the Resolution amends the Employee Handbook adopted in 2017 to increase the number of annual leave hours exempt employees can carry over from one calendar year to the next from 80 hours to 120 hours and creates an annual leave attrition fund for payouts. Clerk Harper read the Resolution. CM Osmond moved to adopt the Resolution. CM Dewey seconded. The motion passed 5 to 0.

7. Approval of Minutes

MPT Papanikolas moved to adopt the April 10 Town meeting minutes. CM Sweep seconded. The motion passed 4-0-1, with Mayor Isler abstaining.

8. Mayor's Report

Mayor Isler said Berwyn Heights was a great success and thanked all who came out to celebrate and those who worked hard to made it possible: the Recreation Council, Public Works and Police Department staff, and especially Yvonne Odoi and Mercy Muralles for their essential, behind-the-scenes coordination.

9. Department Reports

Mayor Isler said it was decided not have Directors give department reports because the budget would take up most of the meeting. Councilmembers may report any important items.

MPT Papanikolas thanked the elected officials who participated in Berwyn Heights Day: State Delegates Gaines and Healey; County Council Delegate Glaros, Greenbelt Mayor Jordan and MPT Davis; and former Mayor Tom Love. He also announced the Berwyn Heights U-15 Soccer Team won the County championships.

CM Osmond announced that Code Clerk Zelda Bell was selected as Employee of the Year. Mayor Isler noted that Recreation Council President Susan Jones and Meg Miller-Shane are Citizens of the Year.

CM Dewey also thanked everyone who worked on Berwyn Heights Day, including all the volunteers. Susan Jones was recognized as Citizen of the Year for her dedication in organizing the Town's year-long events program that included many new and interesting events. Meg Miller-Shane was recognized for her leadership role on the Quality of Life Commission as well as her work for the Seniors Club. Further, the Berwyn Heights Girl Scouts won first place for their Berwyn Heights Day float; the Boys & Girls Club won 2nd place and the Historical Committee 3rd place

CM Sweep reported that the street sweeper will be in Town this week and residents are requested to park in driveways if possible. The Town has received a number of comments on curbs painted yellow to indicate no parking. Following the street repairs last summer, many curbs had to be repainted, which

was done in accordance with the *Manual on Uniform Traffic Control Devices* (MUTCD) requiring no parking within 30' of a stop sign. The Council regrets if this has resulted in the loss of parking spaces but the Town needs to adhere to those standards.

10. Committee Reports

Education Advisory Committee: CM Dewey announced that the Education Advisory Committee has set the 4th Monday of the month as its regular meeting date. However, this month the meeting will take place on May 20. CM Sweep added he attended an education community forum headlined by School Board Chair Dr. Alvin Thornton, which was also attended by the BHEAC's chair Joanna Whitaker.

Green Team: CM Dewey announced the 9 winning trees of the Trees of Distinction contest, which were displayed on Berwyn Heights Day and will be posted to the Town website. Those who nominated a tree received a Trees of Distinction T-shirt. The next Town cleanup will be on May 18.

Historical Committee: Clerk Harper said the Committee participated in Berwyn Heights Day with a booth and display on the Berwyn Heights Company. Many visitors stopped and talked with the Committee members who were present.

Recreation Council: Angela Wolfinger announced that the annual Town-wide yard sale will be held on June 15 and a summer concert with the Susan Jones Jazz Quartet on June 27 at Lake Artemesia. Another summer concert is in the works, but no date has been set. The Recreation Council welcomes feedback and new ideas for Berwyn Heights Day, which can be sent to Susan Jones at violindreams@verizon.net.

11. Citizen Comments

Mayor Isler invited citizen comments which will be limited to 3 minutes with additional time for discussion afterwards.

Jodie Kulpa-Eddy, Ruatan Street, thanked the Council for responding to her questions and comments on the budget earlier in the meeting. While she is unhappy about the tax increase, she has resigned herself to it. She also questioned the diversion of \$30,000 set aside in FY 2019 for an economic development study for other uses as shortsighted. The funds could have served to figure out how Berwyn Heights fits into the changes that will come with the redevelopment of the Beltway Plaza Mall. Lastly, she noted she has been unable to sign up for the Council's e-newsletter through the website. Clerk Harper said she will look into it.

Phil Ventura, 57th Avenue, asked whether the Council during the budget process ever considered a balanced budget that would use just current revenues as a baseline; in other words, was a "living within our means" budget considered. CM Dewey said she believes, if the Council had chosen not to raise taxes and not to use fund balance, it would not have been possible to fund current operations and some positions might have had to be eliminated.

TM Broadbent said staff started with a zero-based budget, meaning starting at zero and then adding the cost of everything one needs to fund current operations. Current revenues would not have been sufficient to fund current operations plus inflation, and cuts would have had to be made. Any expenditure beyond a basic necessity a department director requested had to come to her first as an enhancement, many of which were not approved. CM Dewey said, if the Council had said 'no' to every enhancement, it would still have been necessary to use some fund balance. This Council wanted to avoid that.

MPT Papanikolas said that enhancements requests were not approved without the Council weighing options and, in some cases, making cuts. CM Sweep said a minimal budget constructed by using just current revenues would not be very useful as it would require substantial cuts in programs and /or staff. TM Broadbent said this budget also reflects new approaches to raising revenues. For example, reserves were reinvested to earn higher interest rates and collection agencies will be used to collect outstanding fees and citations.

Mr. Ventura stated for the record that he pushed a former Public Works Director to correct stop lines and other traffic devices by referring to MUTCD standards.

Joan Hayden, Seminole Street, commented per telephone that a limit of 3 minutes for citizen comments seems too short and that tonight the background static of the broadcast was less.

The meeting was adjourned at 9:26 p.m.

Signed: *Kerstin Harper*, Town Clerk